

FEB 03 2009

JOHN F. CONCORAN, CLERK
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JERRY RESTO DIAZ,
Plaintiff,

v.

JERRY RESTO DIAZ,
Defendant.

)
) Civil Action No. 7:09-cv-00017
)

) **FINAL ORDER**
)

) By: Hon. Samuel G. Wilson
) United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

ADJUDGED and ORDERED

that this action shall be and hereby is **DISMISSED** pursuant to 28 U.S.C. §1915(e)(2)(B) as
frivolous, and is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum
opinion to plaintiff.

ENTER: This 3rd day of February, 2009.

[Signature]

United States District Judge

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